

REMARKS

Claim 6 has been amended to further clarify the subject matter regarded as the invention. Claims 6-10 and 12 remain pending in the application. Reconsideration of the application is respectfully requested based on the following remarks.

In the Office Action, the Examiner rejected claim 6-10 and 12 under 35 USC § 102(e) as being anticipated by Tso et al., US Patent 6,247,050. Tso et al. describes a system for collecting and displaying performance improvement information for a computer. While Tso et al. does describes a transcoding server that can selectively transcode content based on predetermined selection criterion, claim 6 is nevertheless distinctly different. Among other things, claim 6 recites:

determining whether requested web content by a mobile wireless internet service subscriber/user of a mobile wireless device is larger than a predetermined size; and
when said determining determines that the requested web content is larger than the predetermined size, providing a web page from the mobile wireless internet service provider to the subscriber/user via the mobile wireless device to provide the subscriber/user bandwidth trade-off options to be applied to the requested web content.

Tso et al., based on our understanding, does not teach or suggest these operations as recited in claim 6. Therefore, it is respectfully requested that the Examiner withdraw the rejection of claims 2-6 and 12 under 35 USC § 102(e). Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any

further fee required in connection with the filing of this Amendment is to be charged to
Deposit Account No. 50-0388.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read "C. Douglass Thomas", written over the printed name.

C. Douglass Thomas
Reg. No. 32,947

P.O. Box 70250
Oakland, CA 94612-0250